

REMARKS/ARGUMENTS

Favorable consideration of this application is respectfully requested. Applicant has rewritten claims 43, 56, 59 canceled claims 49, 50, 51, 53-55, 58 and added new claims 65-67. No new considerations or issues are being raised with this response. Favorable reconsideration of this application is, consequently, earnestly solicited in view of the following remarks. Applicant gratefully appreciates the examiner's indication that claims 49, 58-60 and 64 contain allowable subject matter.

New claims 65-67 are believed allowable for incorporating the novel "outer (edible) layer" that consists of a different edible material than the "middle(edible) material" that is located between the "first" and "second mixture layer(s)....." Applicant notes that the new claims 65-67 are also intended to ALSO read on embodiments that are shown in Figures 14, 15a and 15b of the subject invention, which are NOT the subject of previously filed and issued patents.

Claims 43, 44, 45, 46, 48, 50, 51, 53-56 and 61-63 were rejected under sec. 103 as being unpatentable over Latta in view of Hoffman. This rejection is now moot since independent claim 43 has been amended to include the novel allowable subject matter of former dependent claim 49, and independent claim 56 has been amended to include the novel allowable subject matter of former dependent claim 58.

In view of the foregoing considerations, it is respectfully urged that claims 43-46, 48, 56 and 59-67 be allowed. Such action is respectfully requested. If the Examiner believes that an interview would be helpful, the Examiner is requested to contact the attorney at the below listed number.

Respectfully Submitted;



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Date 12/22/04